



FILED & JUDGMENT ENTERED

David E. Weich

Oct 19 2010

Clerk, U.S. Bankruptcy Court  
Western District of North Carolina

J. Craig Whitley  
United States Bankruptcy Judge

5269

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

IN RE ) Case No. 10-32293  
          ) )  
Tammy Lynn Hay ) Chapter 7  
          ) )  
          DEBTOR. ) )

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**ORDER**

Upon consideration of the motion filed by U.S. Bank, National Association (hereinafter "Movant"), and after required notice to all necessary parties, and there being no objections filed, the Court finds as follows:

1. That Movant has a valid lien against certain property briefly described as 10206 Prince Edward Lane, Charlotte, NC 28277.
2. That the Debtor has been unable to provide Movant adequate protection for its interest in the real property.
3. That Movant should be permitted to foreclose its security interest in the said property.

**WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED**

1. That the stay afforded by 11 U.S.C. § 362 is hereby modified and terminated to permit Movant to proceed with foreclosure in State Court. Movant shall have a period of 180 days to file a deficiency claim; and
2. That Rule 4001(a)(3) of the Bankruptcy Code is not applicable in this case and Movant may immediately enforce and implement this order granting relief from the automatic stay.

This Order has been signed electronically. The Judge's signature and Court's Seal appear at the top of the Order.

United States Bankruptcy Court